

colleague, Congressman Bud Shuster, who retired from Congress last week after serving fifteen terms in the United States House of Representatives. I am grateful to have had the opportunity to serve with Congressman Shuster since 1981, when I first came to the United States Senate. Bud Shuster has worked tirelessly on behalf of his constituents in the 9th Congressional District of Pennsylvania, the entire state, and the nation.

During his time in office, Congressman Shuster consistently reached across party lines to work with his colleagues on the other side of the aisle to pass some of the most important public works bills in our nation's history. Over the years he built up a remarkable level of clout in Congress, affording him a great deal of success in enacting his legislative priorities.

The name Bud Shuster is synonymous with transportation, and I have worked closely with Congressman Shuster on a number of transportation challenges facing Pennsylvania and the nation, including the ISTEA and TEA-21 highway authorization bills, the effort to take the highway trust fund off-budget, and the AIR-21 airport authorization bill. As Chairman of the Committee on Transportation and Infrastructure, he brought a level of insight and tenacity into infrastructure, highways and airports that was really remarkable. Congressman Shuster's expertise in the field of transportation and public works projects was second to none, and I valued his advice and counsel on a number of issues over the years.

Few may know that Congressman Shuster graduated Phi Beta Kappa from the University of Pittsburgh, holds an MBA from Duquesne University and a Ph.D. in business from the American University. While these academic accomplishments have suited him well in his role as a legislator, they have also served him in his role as an accomplished author, penning two acclaimed novels about life in small-town Pennsylvania.

Bud Shuster's legislative skill and almost thirty years of dedicated service to his constituency will be sorely missed in Pennsylvania and in America. We will be hard pressed to replace such a distinguished public servant and I wish him the best of luck in his future.

#### IN MEMORY OF ALAN CRANSTON

Mr. HOLLINGS. Mr. President, it is an honor for me to pay tribute to my former Senate colleague Alan Cranston. With Senator Cranston's passing, we lost a gifted leader, a shrewd politician and a dedicated reformer. It seemed significant that Senator Cranston passed away on New Year's Eve 2000 because his life encompassed, literally, the 20th century. He was born the year World War I began, grew up during the Depression, covered the rise of fascism in Europe as a foreign cor-

respondent and led the fight for a nuclear arms freeze during the Cold War. He called luminaries of the age among his friends, most notably Albert Einstein. Alan Cranston arrived in the Senate shortly after I did and we served together for 24 years until his retirement in 1993. We even hit the Presidential campaign trail together, both running for the White House on the Democratic ticket in 1984.

Those of us who served with Senator Cranston will remember the tally sheets he carried around to count votes. We will also remember the talent he had for carefully preserving his own liberal ideologies while working effectively with those on the opposite end of the political spectrum. He may have offended some with his push for disarmament, but more often than not he disarmed them with his own friendly manner. Senator Cranston left an indelible mark on environmental, civil rights and global security policy. His legacies are the Global Security Institute, his accomplishments as a U.S. Senator and his dedication to the people of California. He will be missed, but a political giant like Alan Cranston will not be forgotten.

#### RURAL AMERICA NEEDS COMPETITION

Mr. JOHNSON. Mr. President, on Monday, January 22, introduced S. 142, the Rural America Needs Competition to Help Every Rancher Act, legislation to prohibit meatpackers from owning livestock prior to slaughter. My bill enjoys bipartisan support from Republican Senators CHUCK GRASSLEY of Iowa and CRAIG THOMAS of Wyoming. Senator TOM DASCHLE cosponsored my bill, as well. We believe this proposal will help restore a competitive bidding process to the cash slaughter-livestock marketplace by strengthening the Packers and Stockyards Act of 1921.

The growing, unabated trend of agribusiness consolidation and concentration—a problem really sweeping across this entire nation—is one of the prime concerns of South Dakota family farmers and ranchers. However, concern about meatpacker concentration is not new in the United States. Newspaper cartoons in the 1880s depicted companies that forced the pooling of livestock prior to any purchase agreement as counterproductive “beef trusts,” engaging in discriminatory pricing behavior. In 1917, President Woodrow Wilson directed the Federal Trade Commission (FTC) to investigate meatpackers to determine if they were leveraging too much power over the marketplace.

As a result, the FTC released a report in 1919 stating that the “Big 5” meatpackers at that time (Armour, Swift, Morris, Wilson, and Cudahy) dominated the market with “monopolistic control of the American meat industry.” The FTC also found these meatpackers owned stockyards, rail car lines, cold storage plants, and other

essential facilities for distributing food. These findings led to the Packers Consent Decree of 1920 which prohibited the Big 5 packers from engaging in retail sales of meat and forced them to divest of ownership interests in stockyards and rail lines. Subsequently, Congress enacted the Packers and Stockyards Act of 1921 which prohibited meatpackers from engaging in unfair, discriminatory, and deceptive pricing practices.

Unfortunately—veiled behind what some mistakenly describe as inevitability—the meatpacking industry is once again crusading to take free enterprise and market access away from independent livestock producers. On January 1, 2001, Tyson Foods declared its intention to acquire IBP, and the Justice Department recently accepted Tyson's assertion that the deal poses no antitrust violation. I am very disappointed with the Justice Department's decision, and believe their inaction on this matter makes it imperative for Congress to act.

I recently met with executives of Tyson and IBP to discuss the ramifications of this merger. The CEO of Tyson made a provocative promise that Tyson will not replicate its current practice of owning livestock—they now own swine and poultry—after buying IBP. Essentially, Tyson alleges they will not own cattle before slaughter. Yet, it has been reported that Tyson would only make that promise for ten years into the future, and the company has declined to comment on what purchasing practices a merged Tyson-IBP would utilize after that time.

While this may be a short-term panacea to satisfy Federal agencies and elected officials, livestock producers—particularly cattle ranchers—are in business for the long-term. Ten years can go by awful quickly in the cattle business. Moreover, I believe—as do most South Dakotans—that doing and saying are two very different things. Indeed, Lee Swenson, President of the National Farmers Union, has called upon Tyson to issue a written commitment to the Securities and Exchange Commission that Tyson won't go into the cattle owning business.

Consequently, my bill to forbid packer ownership of livestock restores healthy competition to the cash marketplace and ensures that Tyson and other vertical integrators won't engage in packer ownership. Agricultural concentration is not inevitable, it is sweeping the rural landscape because of the choices we make. Given the Justice Department's reluctance to address this merger, Congress must take some responsibility to recommend ways to strengthen our competition and anti-trust laws. I believe S. 142 is one step Congress can take.

Last year, several major farm organizations endorsed my bipartisan effort to prohibit meatpackers from owning livestock prior to slaughter. I would like to thank them for their support. These grassroots groups include the